

PTO Form 1957 (Rev 9/05)

OMB No. 0651-0050 (Exp. 04/2009)

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78628789
LAW OFFICE ASSIGNED	LAW OFFICE 105
MARK SECTION (no change)	
ARGUMENT(S)	<p>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK TRIAL AND APPEAL BOARD</p> <p>In re application of AM4 Corporation, LLC Serial No.: 78/628,789 Filed: May 12, 2005 For: AM4</p> <p>Trademark Law Office 105 Attorney: Marlene D. Bell</p> <p><u>REQUEST FOR RECONSIDERATION</u></p> <p>Commissioner for Trademarks P.O. Box 1451 Alexandria, Virginia 22313-1451 Sir or Madam:</p> <p>Applicant respectfully requests that the appeal in the above application be held in abeyance and that the application be returned to the Examining Attorney for consideration of the amendments presented with this Request which are believed to place the application in condition for allowance and avoid the need to proceed further with this appeal.</p> <p>Applicant requests that the Class 35 description of services be amended to read as follows:</p> <p>-- Advertising and marketing services; business to business services, namely, business consulting services, business planning services, and business marketing services, in the fields of advertising, promotion, direct marketing, sample distribution, public relations, and new marketing technology development; dissemination of point of sale materials via promoting the sale of goods and services of others through the distribution of printed material namely, signage, brochures, pamphlets, coupons, and printed boxes; marketing and sales promotion services to retail companies and their vendors, namely, preparing advertising, promotional, and merchandising material for</p>

others, in International Class 35--

Remarks

The amended description of services in International Class 35 is believed to satisfy the Examining Attorney's requirements.

In view of the foregoing, Applicant has satisfied the requirements of the Examining Attorney, making this appeal moot. Favorable action on the instant application is respectfully requested.

It is respectfully requested that the due date for filing Applicant's Brief be held in abeyance pending action on this Request for Reconsideration..

Respectfully submitted,  
/Kenneth D. Suzan/

By \_\_\_\_\_  
Kenneth D. Suzan

Hodgson Russ LLP  
One M&T Plaza, Suite 2000  
Buffalo, New York 14203  
Telephone: 716-856-4000  
Dated: February 1, 2007

**SIGNATURE SECTION**

RESPONSE SIGNATURE	/Kenneth D. Suzan/
SIGNATORY'S NAME	Kenneth D. Suzan
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	02/01/2007

**FILING INFORMATION SECTION**

SUBMIT DATE	Thu Feb 01 11:06:19 EST 2007
TEAS STAMP	USPTO/ROA-24.75.18.2-2007 0201110619671624-78628789 -3608cd2ec826ea0a4c8255b3 49c68ba6be-N/A-N/A-200702 01110324632162

PTO Form 1957 (Rev 9/05)

OMB No. 0651-0050 (Exp. 04/2009)

**Response to Office Action**

**To the Commissioner for Trademarks:**

Application serial no. **78628789** has been amended as follows:

**Argument(s)**

In response to the substantive refusal(s), please note the following:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

In re application of  
AM4 Corporation, LLC  
Serial No.: 78/628,789  
Filed: May 12, 2005  
For: AM4

Trademark Law Office 105  
Attorney: Marlene D. Bell

REQUEST FOR RECONSIDERATION

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451  
Sir or Madam:

Applicant respectfully requests that the appeal in the above application be held in abeyance and that the application be returned to the Examining Attorney for consideration of the amendments presented with this Request which are believed to place the application in condition for allowance and avoid the need to proceed further with this appeal.

Applicant requests that the Class 35 description of services be amended to read as follows:

-- Advertising and marketing services; business to business services, namely, business consulting services, business planning services, and business marketing services, in the fields of advertising, promotion, direct marketing, sample distribution, public relations, and new marketing technology development; dissemination of point of sale materials via promoting the sale of goods and services of others through the distribution of printed material namely, signage, brochures, pamphlets, coupons, and printed boxes; marketing and sales promotion services to retail companies and their vendors, namely, preparing advertising, promotional, and merchandising material for others, in International Class 35--

Remarks

The amended description of services in International Class 35 is believed to satisfy the Examining Attorney's requirements.

In view of the foregoing, Applicant has satisfied the requirements of the Examining Attorney, making this appeal moot. Favorable action on the instant application is respectfully requested.

It is respectfully requested that the due date for filing Applicant's Brief be held in abeyance pending action on this Request for Reconsideration..

Respectfully submitted,  
/Kenneth D. Suzan/

By \_\_\_\_\_  
Kenneth D. Suzan

Hodgson Russ LLP  
One M&T Plaza, Suite 2000  
Buffalo, New York 14203  
Telephone: 716-856-4000  
Dated: February 1, 2007

**Response Signature**

Signature: /Kenneth D. Suzan/ Date: 02/01/2007

Signatory's Name: Kenneth D. Suzan

Signatory's Position: Attorney for Applicant

Serial Number: 78628789

Internet Transmission Date: Thu Feb 01 11:06:19 EST 2007

TEAS Stamp: USPTO/ROA-24.75.18.2-2007020111061967162

4-78628789-3608cd2ec826ea0a4c8255b349e68

ba6be-N/A-N/A-20070201110324632162

PTO Form 1857 (Rev 9/05)

OMB No. 0851-0050 (Exp. 04/2009)

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	78628789
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 105
<b>MARK SECTION (no change)</b>	
<b>GOODS AND/OR SERVICES SECTION (035)(current)</b>	
INTERNATIONAL CLASS	035
DESCRIPTION	
Advertising and marketing services; business to business services, namely, advertising, promotion, direct marketing, sampling, public relations, and new marketing technologies; point of sale materials, namely, promoting the sale of goods and services of others through the distribution of printed material including printed boxes; marketing and sales services to retail companies and their vendors, namely, preparing advertising, promotional, and merchandising material for others	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (035)(proposed)</b>	
INTERNATIONAL CLASS	035
DESCRIPTION	
Advertising and marketing services; business to business services, namely, business consulting services, business planning services, and business marketing services, in the fields of advertising, promotion, direct marketing, sample distribution, public relations, and new marketing technology development; dissemination of point of sale materials via promoting the sale of goods and services of others through the distribution of printed material namely, signage, brochures, pamphlets, coupons, and printed boxes; marketing and sales promotion services to retail companies and their vendors, namely, preparing advertising, promotional, and merchandising material for others	
FILING BASIS	Section 1(b)
<b>GOODS AND/OR SERVICES SECTION (036)(no change)</b>	
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	The filing Attorney has elected not to submit the signed declaration, believing no supporting declaration is required under the <i>Trademark Rules of Practice</i> .

RESPONSE SIGNATURE	/Kenneth D. Suzan/
SIGNATORY'S NAME	Kenneth D. Suzan
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	02/01/2007
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Feb 01 10:35:18 EST 2007
TEAS STAMP	USPTO/ROA-24.75.18.2-2007 0201103518253463-78628789 -3609a8672bf6134a0d3733e8 0fc2772ba5-N/A-N/A-200702 01102920976239

PTO Form 1857 (Rev 9/05)

OMB No. 0651-0050 (Exp. 04/2009)

### Response to Office Action

#### To the Commissioner for Trademarks:

Application serial no. **78628789** has been amended as follows:

#### Classification and Listing of Goods/Services

#### **Applicant hereby amends the following class of goods/services in the application as follows:**

Current: Class 035 for Advertising and marketing services; business to business services, namely, advertising, promotion, direct marketing, sampling, public relations, and new marketing technologies; point of sale materials, namely, promoting the sale of goods and services of others through the distribution of printed material including printed boxes; marketing and sales services to retail companies and their vendors, namely, preparing advertising, promotional, and merchandising material for others  
Original Filing Basis: 1(b).

Proposed: Class 035 for Advertising and marketing services; business to business services, namely, business consulting services, business planning services, and business marketing services, in the fields of advertising, promotion, direct marketing, sample distribution, public relations, and new marketing technology development; dissemination of point of sale materials via promoting the sale of goods and services of others through the distribution of printed material namely, signage, brochures, pamphlets, coupons, and printed boxes; marketing and sales promotion services to retail companies and their vendors, namely, preparing advertising, promotional, and merchandising material for others  
Filing Basis: 1(b).

#### **Declaration Signature**

I hereby elect to bypass the submission of a signed declaration, because I believe a declaration is not required by the rules of practice. I understand that the examining attorney could still, upon later review,

require a signed declaration.

**Response Signature**

Signature: /Kenneth D. Suzan/ Date: 02/01/2007

Signatory's Name: Kenneth D. Suzan

Signatory's Position: Attorney for Applicant

Serial Number: 78628789

Internet Transmission Date: Thu Feb 01 10:35:18 EST 2007

TEAS Stamp: USPTO/ROA-24.75.18.2-2007020110351825346

3-78628789-3609a8672bf6134a0d3733e80fc27

72ba5-N/A-N/A-20070201102920976239